

SAC MINUTES

TO: Simplified Acquisition Committee Members

FROM: Director, Division of Acquisition Programs,
Office of Logistics and Acquisition Operations (OLAO)

SUBJECT: SAC Meeting Minutes, August 21, 2002

Attendees:

Patricia Haun, NIDDK
Mary Junious, NIAMS
Andre Moody, OD/OLAO/DLS
Teresa Newman, NIGMS
Rosie Owens, NIAID
Beverly Poe, NIEHS
Caren Rasmussen, NCI
Karen Riggs, NLM

Annette Romanesk, OD/OLAO/ASRB
David Schneider, NHLBI
Pat Seidel OD/OLAO/ASRB
Renita Smith, NCI
Cole Stathes, OD/OLAO/SAPB
Christina Vaughan, OD/OLAO/SAPB
Virginia Walker, NICHD

Cole Stathes chaired the SAC meeting held Wednesday, August 21, 2002. The minutes from the June 19th meeting were approved as read.

The Veterans Corporation - Richard Allen

Cole introduced Mr. Richard Allen, Associate Director, Business Operations, National Veterans Business Development Corporation. Mr. Allen is representing small businesses run by veterans. He would like the acquisition community to do more business with these veteran-owned businesses. He has a data base of over 130,000 businesses and he feels that there is no supply or skill area that can't be obtained from veterans. Mr. Allen can be reached by telephone on 703-739-5547. Veteran-owned businesses have served such large organizations as the Department of Defense, Lockheed Martin and Raytheon successfully. (In FAR 8.001, for supplies, veteran owned small businesses would be on the level with commercial sources which include educational and nonprofit institutions. This would also be true for services.)

Section 508 - Gary Morin, Office of Equal Opportunity and Diversity Management

Gary Morin presented a discussion of Section 508.

Background to Section 508

On August 7, 1998, Public Law 105-220 enacted the Rehabilitation Act Amendments of 1998 which significantly expands and strengthens the technology access requirements of Section 508 of the Rehabilitation Act of 1973 (Section 508). Section 508 requires that when Federal agencies develop, procure, maintain, or use electronic and information technology (E&IT), they must ensure that the electronic and information technology is accessible to

people with disabilities, unless it would pose an undue burden to do so. Federal employees and members of the public who have disabilities must have access to and use of information and services that is comparable to the same available to non-disabled Federal employees and members of the public.

Under Section 508, the scope of electronic and information technology is expansively defined. It includes computers (such as hardware, software, and accessible data such as web pages), facsimile machines, copiers, information transaction machines or kiosks, telephones, and other equipment used for transmitting, receiving, using, or storing information. In plain English, section 508 aims to provide Federal employees with disabilities access to office systems and information equal to their non-disabled colleagues. It also assures that people in the general public who have disabilities, have equal access to Government information.

Section 508 requires that when Federal agencies develop, procure, maintain or use electronic and information technology (E&IT), they must ensure accessibility to individuals with disabilities. Comparable access is not required if it would impose an undue burden. This is consistent with language used in the Americans with Disability Act (ADA) and other civil rights legislation, where the term 'undue burden' has been defined as "significant difficulty or expense." However, the agency must document and explain why meeting the standards would pose an undue burden for a given procurement action, and must still provide individuals with disabilities access to the information or data that is affected in an alternative method.

The final Section 508 standards were determined on December 21, 2000 by the Access Board, an independent Federal agency devoted to accessibility for people with disabilities. Organizations must implement any necessary changes by June 21, 2001, when the six month grace period established by the mandate expires. The guidelines are listed at <http://www.Section508.gov>. Section 508 is a part of the Rehabilitation Act of 1973, which requires electronic and information technology developed, procured, maintained or used by the Federal Government to be accessible to people with disabilities. It went into effect June 21, 2001. It insures that federal employees with disabilities have access to and the use of information and data, comparable to employees without disabilities. It insures that members of the public seeking employment or simply seeking information have equal access to federal opportunities/information. It applies to IT equipment and IT related equipment, such as computer hardware and software and office equipment such as fax and copier machines, telecommunication equipment and all government websites. It doesn't mean that all such equipment must be fully operational for disabled users, but it does mean that the equipment must be easily adaptable with simple modifications. Ask yourself, with minor modifications, could a deaf/disabled person do your job?

Section 508 applies to federal employees as well as members of the public. Compliance with Section 508 is enforceable by EEO law suits. There have not been many challenges yet. GSA and the Access Board want vendors to be responsible for providing equipment that is 508 compatible. Ultimately, however, it is the Government's responsibility to make sure it is buying equipment that is Section compliant. It is the Government's responsibility to maintain 508 compliant web sites. All electronic and information technology developed,

maintained or used by the Federal Government must be accessible by disabled persons. Comparable access to and use of does not mean separate but equal. Legislative intent is that one product is provided that is or can be readily accessible to all, often through compatibility with software, hardware or other assistive technology that the employee or consumer would already have (e.g., JAWS, a screen reader for a person with a vision impairment).

There may be no excuse that this places an undue burden on the Agency. An undue burden is financial and it applies to the Department finances. Does the Department have the budget to provide accessibility? In almost all cases, the answer is yes. A separate exemption clause pertains to "National Security." Requests for Waivers should be submitted through the NIH Office of Equal Opportunity & Diversity Management for review and consideration by the Department.

The expected benefits of Section 508 is: enhanced access for all users to government web sites; it will be easier for agencies to meet their existing obligations to disabled employees; it promotes productivity and job retention of employees who are currently disabled or will develop a disability.

The NIH Section 508 Steering Committee is coordinating the development of IC-based plans for implementation of Section 508. The Office of Equal Opportunity and Diversity Management and CIT will continue in partnership to educate and lead NIH to compliance with Section 508. An accessibility handbook will be developed. O. Marcella Haynes is NIH's Compliance Officer. There are some web sites available which provide information about Section 508. Please visit them for additional information. They are:

1. NIH OEODM <<http://oeo.od.nih.gov/section508/accessibility.asp>>
2. National Institutes of Health Section 508 information: <<http://508.nih.gov>>
3. Department of Health and Human Services Section 508 information: _
<<http://intranet.hhs.gov/iimc/access>>
4. Government-wide Section 508 information: <http://www.section508.gov>
5. US Department of Justice: <<http://www.usdoj.gov/crt/508/>>
6. Access Board: <<http://www.access-board.gov/>>

Symposium Update - Christina Vaughan

The date of the symposium is Thursday, March 27, 2003, at the 4H Center. The center will serve lunch to the participants. Four IC s will contribute to cost of the Symposium. Parking will be limited so there will be buses to transport employees from the campus and other locations to the 4H Center. The purpose of the symposium will be to provide valuable training to the procurement community. There are eight subcommittees and they are still seeking volunteers for the subcommittees. There will be an electronic survey sent to the acquisition community that will ask what type of workshops you feel will be most beneficial, what subjects you wish to see addressed.

Simplified Acquisition Guide

It was decided that a Simplified Acquisition Guide would be useful to the purchasing community and that needed will be addressed in the coming fiscal year. DAP staff will start working on the Guide and they will be contacting SAC members for input. Karen Riggs and Patricia Haun have volunteered to help with this effort.

The next SAC meeting is scheduled for Wednesday, October 16, 2002, at 9:30 a.m. in Building 6001, Room "A1/A2".